

UNITED STATES DISTRICT COURT
FOR THE SIXTH CIRCUIT

JAMES SULLIVAN

Plaintiff

v.

**COMMON PLEAS COURT Et AL
MEILLISA POWERS C/O
1000 SYCAMORE STREET # 115
CINCINNATI, OHIO 45202**

and

**HAMILTON COUNTY SHERIFF'S OFFICE
1000 MAIN STREET RM 260
CINCINNATI, OHIO 45202
CHARMAINE Mc GUFFEY
SGT. MICHEAL DRYER
DEPUTY SPEERS
DEPUTY HENRYAK
DEPUTY. OBER,
LIEUTENANT DENNIS BROGAN**

and

**ROBERT RUEHLMAN
BAILIFF HAYSLIP
TERRY NESTOR
JODY LUBBERS
THOMAS HEEKIN
HAMILTON COUNTY COMMON PLEAS
1000 MAIN STREET
CINCINNATI, OHIO 45202**

**HAMILTON COUNTY, through the
BOARD OF COUNTY COMMISSIONERS
ALICIA REECE
DENISE DRIEHAUS
STEPHANIE SUMMEROW DUMAS
138 East Court Street, Room 603
Cincinnati, Ohio 45202**

Defendants.

) **CASE NO. 1: 22 CV 763**

) Judge: Matthew W. McFarland

) Magistrate: Karen L. Litkovitz

) **NOTICE OF APPEAL
PER RULE 4 MAGISTRATES
R & R REPORT AND
RECOMMENDATIONS
DOC. 69.**

) **ATTORNEY FOR DEFENDANTS**

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) Pamela J Sears
) Zachary Kyle Garrison
) Hamilton County Prosecutor
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NOW COMES James Sullivan, authorized Representative on behalf of JAMES SULLIVAN, Ens Legis. in Propria Persona, Sui Juris, and as one of the people of the United States, hereinafter referred to as the real party and interests, and in this court of record in the above-captioned matter, under oath do hereby state and depose. My statement is made on personal firsthand knowledge, and I am competent to do so. I have made this statement in the State of Ohio, in the County of Hamilton.

Notice is hereby given that Plaintiff James Sullivan, hereby appeals to the United States Sixth Circuit Court of Appeals the District Court's Order granting immunity in an order denying, in part, a Motion for Judgment on the Pleadings placed of record by the United States District Court, Southern District of Ohio, Western Division on October 25, 2023. Doc #: 69 Filed: 10/25/23 Page: 1 of 24 PAGEID #: 3114.

1. The Report and Recommendations (a) DISMISSES the complaint as to the Hamilton County Court of Common Pleas, because it is not sui juris; immunity and this appeal is being taken pursuant to 28 U.S.C. § 1291 and by authority of *Trinsey v Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647. "Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment."

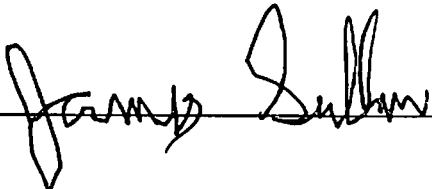
2. The court docket is missing 336 pages from page 1500 to 1836 also as opposing counsel pointed out a duplication on DOC 24-1 there are more missing documents

3. Also an unknow reassignment of Judge McFarland on CASE NO. 1: 22 CV 764 % Doc # 32make this case extremely hard to follow.


4. The parties, pursuant to 28 U.S.C. 636 (c) to Magistrate Litkovitz conducting proceedings including R & R of the Magistrate and order by Judge: Matthew W. McFarland, so this appeal is taken directly

to the Sixth Circuit Court of Appeals. The Plaintiff moves this court for Extension of the 30-Day Limit to file this appeal.

James Sullivan, and as one of the people of the United States of America and in this court of record in the above-captioned matter, under oath do hereby state and depose. My statement is made on personal firsthand knowledge, and I am competent to do so. I have made this statement in the State of Ohio, in the County of Hamilton, under 28 U.S.C. 1746 for a lawful officer of the United States for America
"I declare state under penalty of perjury under the laws of the United States for America that the foregoing is true and correct. Executed on 11/17/23."

AUTOGRAPH BY:  James Sullivan

CERTIFICATE OF SERVICE I hereby certify on this day 17th of NOVEMBER , in the year 2023, a true and accurate copy of the foregoing filing will be sent to all parties by operation of the courts electronic filing system. Parties who are not served via Court's electronic filing system, copies will be mailed USPS to other parties.

AUTOGRAPH BY:  James Sullivan